

ENVIRONMENTAL PROTECTION AND PUBLIC PARTICIPATION IN THE U.S.S.R. DURING THE LATTER 20TH CENTURY

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ABSTRACT

This article considers the evolution of public participation in environmental protection and the “green movement” in the USSR and subsequent legal developments in the later part of 20th century. The article deals with legal history, using the diachronic methods to examine the evolution of public participation in environmental protection under the pressure of the totalitarian regime. The public participation in the USSR is divided into three main historical stages. An overview of the main challenges and achievements of the “green movement” in the USSR during 1950s-1990s is included; as well as causes and consequences of environmental activities in the USSR are highlighted. The three stages of the evolution of public participation in the mid-20th century are as follows: The first stage (up to 1980s) is characterized by the non-politicized activity, usually initiated by students or created by tourist clubs; the second stage (1980s – 1990s) has a special feature that is, liberalization of the political movement; and the third stage (beginning of 1990s) is described by the significant decline of interest in the Nature protection activities, which can be attributed to the unstable political environment at that time.

Keywords: Environmental law; Public participation; USSR; Nature protection; Environmental history

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1. INTRODUCTION

Public participation is an integral part of ensuring an optimal environmental policy; consequently, the public participation in democratic countries should be manifested through political parties with a "green" orientation, and through activities of NGOs, public organizations, green movements, citizens' activities, and so on. The critical question here is, who influences governmental decisions in States where public participation does not exist or is forbidden? The answer can be found in the history of the "green movement" and the trajectory of public participation in Nature protection in the totalitarian State – the Union of Soviet Socialist Republics (USSR). With this backdrop, considering significant implications in independent States, such as Ukraine, the Soviet Union during the latter half of the 20th century forms the case study of this research.

2. MATERIALS AND METHODS

Some scholars believe that subdisciplines of historical studies appear to have engaged with 'environmental history' in a systematic way only in the recent past (Freytag, 2016¹). Therefore, it seems essential to investigate the history of environmental public movement in the USSR as a basis for explaining the complexity in the legal history of Nature protection. Unfortunately, the essential principles of environmental value provided by healthy ecosystems and the natural environment were not fully recognized during the Soviet period. Therefore, more than 70 years under the Soviet regime could not pass without leaving an impact on the nature of the republics. The Ukrainian Soviet Socialist Republic was chosen as the geographical location not only to build illustrative examples but also to explain the idea of public participation in the USSR during the latter half of the 20th century. Environmentally, Ukraine was found to be the hotspot for environmental precariousness in the Soviet Union bloc owing to several reasons – the high population, the state of the environment after the Second World War (WWII), better industrial development, the Chernobyl disaster of 26 April 1986, and so on.

The study combined methodologies in legal science and legal history. Historical and legal approach was used to study historiography and source base to disclose the genesis and legal trends of the "green movement" in the USSR in the 20th century. The diachronic² method was used as a historical tool to understand the public participation in its chronological order.

¹ Nils Freytag, 'Analysing the Communication Space and Social Construct of Early Modern Europe from the Perspective of Environmental History' [2016] *Nature and Environment in Early Modern Europe* <<https://brewminate.com/nature-and-environment-in-early-modern-europe/>> accessed 16 April 2021.

² A diachronic approach (literally means across-time) considers the development and evolution of a concrete subject of a study through history.

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3. RESULTS AND DISCUSSION

The concept of “green movement” emerged in the second half of the 20th century as a response to the exacerbation of the ecological problems caused by global economic development. The success of the “green movement” during the 20th century can be seen in its ability to give the equal roles for all constituent movements, without declaring one (that is, “green movement”) more important than the others³ (Galtung, 1986).

The negative environmental impacts in the USSR during the 20th century can be attributed to the engagement in two World Wars, several proxy wars and local conflicts, the industrial activities aimed at rebuilding the post-war economy, the Cold War and arms races, man-made disasters, and so on. In contrast to the developed countries of the world, in the USSR, industrialization had an extremely high level of militarization; therefore, it was carried out not for the satisfaction of consumer needs of the population but for the development of certain types of products aimed at building up the State's military power through weapons and accessories. Thus, a feature of Soviet industrialization was the development of heavy industry and military-industrial complex, which had a crucial impact on the environment. In total, at that time in the USSR, 35 industrial giants were built, one third of which were situated in Ukraine. Some of them were Zaporizhstal, Azovstal, Kryvorizhbud, Dniprobud, Dnipalyuminstroy, and others⁴. All these industrial units affected the biological diversity and environmental sustainability in Ukraine and, moreover, they are the largest environmental pollutants in Ukraine⁵. As a result, in the 1950s, society at large felt the need to protect the environment from the adverse effects of these industrial establishments.

The evolution of the green movement in the USSR can be divided into three stages. The first stage (1950-1980) is characterized by environmental protection at the level of society, which was not politicized in a totalitarian State. The second stage (1980-1990) has a feature of the liberalization of the political movement in toto, and, consequently, emergence and rapid development of the green movement. The third stage (early 1990s) is characterized by a decline of environmental activities both by the people and the government, but more prominent position of political parties with the “green” orientation at the political arena was observed. Each of three stages is described further.

³ Johan Galtung, 'The Green Movement: A Socio-Historical Exploration' (1986) 1 International Sociology <<https://doi.org/10.1177/026858098600100106>> accessed 5 March 2021.

⁴ N. O. Tymochko, *Economic History of Ukraine: Textbook* (KNEU 2005).

⁵ 'Webcite Query Result List of 10 Objects, The Largest Environmental Pollutants at the National Level' (*Webcitation.org*, 2021) <<https://www.webcitation.org/682qwZzP1?url=http://www.menr.gov.ua/content/article/201>> accessed 13 April 2021.

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The first stage (1950s – 1980s). This period is characterized by the non-politicized nature of conservation activities of the groups active against poaching, conducting environmental expeditions, cleaning the forest debris manually, and so on. Such groups were usually initiated by students or created by tourist clubs. In the mid-1950s, an organization “Section for the Protection of Animals”, the first association in the USSR, was created in Moscow city to deal with animal welfare issues. It was headed by O.A. Obrazcov with other enthusiasts K.A. Semenov and E.A. Antonov⁶. In December 1960, first group encompassing nature conservation, called ‘*druzhyna*’, engaged people from Moscow. This group was initiated by students of the MSU⁷ Biology Department, and the group built up a stable environmental movement in the country (Damiye, 1991)⁸. The movement constantly expanded, and, by the mid-1980s, it included more than 100 nature conservation groups. As for the Ukrainian SSR, the first animal protection group was the Kiev Society for the Protection of Animals, which was formed in 1960. Subsequently, the group became an independent organization called the Kyiv City Voluntary Animal Protection Society. During 1960s-1970s, every politicized environmental initiative would have to function under the strict control of Soviet power. Despite State scrutiny, environmental initiatives and animal welfare groups in the Soviet republics had still made some progress to mobilize legal protection to fauna. In 1961, because of the work of the Section for the Protection of Animals, the Ministry of Internal Affairs began to convict violators under Article 206 of the Criminal Code of the USSR (classifying the crime as cruelty to animals)⁹. Subsequently, numerous documents were prepared assessing unsatisfactory handling and use of experimental animals. It formed the basis of the first regulation focusing on experimental animals and prohibiting the experiments without using analgesia¹⁰ (Yablonskiy, 2007). With the growing consciousness of animal rights activists, the Ministry of Health approved the first “Rules for Using Experimental Animals”¹¹ in 1977 (Ministry of Health Order No. 7551 of 12.08.1977). Later, the USSR’s State Commission for Academic Degrees and Titles (VAC) ceased to accept dissertations of authors

⁶ Tatyana Pavlova, *Memories of Tatyana Nikolaevna Pavlova about the Origin of the Animal Rights Movement in the USSR and Russia* (Center for the Protection of Animal Rights “Vita” 2008).

⁷ MSU – Moscow State University

⁸ Volodymyr Damiye, ‘The Green Party in the USSR’ (1991) 8 Social - Political Science.

⁹ CCU *Criminal Code of Ukrainian SSR*. 1961 [Code]
<http://search.ligazakon.ua/l_doc2.nsf/link1/KD0006.html> accessed 10 November 2020.

¹⁰ Valentin Yablonskiy and Oksana Yablonska, *Science. Fundamentals of Scientific Research in Animal Husbandry and Veterinary Medicine* (2nd edn, Textbook for the system of master's, postgraduate and doctoral studies 2008).

¹¹ ‘Rules on Using Experimental Animals, Legal Rules’ (*Base.garant.ru*, 1977)
<<http://base.garant.ru/71623476/>> accessed 18 February 2021.

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who did not use analgesic agents during the scientific experiments conducted on animals.

In summary, the first stage of the development of the green movement in the USSR had amateur, apolitical character. Nevertheless, it resulted into a momentum of public activity and awareness to protect the environment and fauna. As an example, the USSR's Law on the Protection and Use of Fauna, 1980, which mandated to regulate the use of animals in experimental laboratories, came into existence. In the USSR in 1980, the extraction of poison from wild animals was also prohibited to protect the wildlife from cruelty and inhumane treatment¹².

The second stage (mid-1980s to the collapse of the USSR). The Gorbachev's perestroika was the cause and a prerequisite for the emergence and development of several informal groups and organizations. The liberalization of the political movement became the basis for the creation of numerous environmental organizations that operated throughout the USSR. The mass environmental movements were facilitated by a series of legal actions adopted by higher authorities; in particular, in 1986, the Ministry of Culture of the USSR adopted the regulations on amateur associations, clubs, etc.¹³. As this regulation document says, amateur associations were recognized as an organized form of peoples' activity, created on a voluntary basis, creative interests, and individual membership of participants to satisfy a variety of interests of people. Based on this regulation, the legal status of the amateur movement changed - it became a socio-cultural formal movement; and, according to Kozlovskaya et al. (2014), it galvanized development of community initiatives in USSR¹⁴. Subsequently, Mikhail Gorbachev sanctioned a non-political environmental movement normatively as facilitating a course on perestroika¹⁵.

German sociologist Ulrich Beck¹⁶ believes that Chernobyl has become a landmark event in contemporary human history. The first Ukrainian Green World Association was created in 1988 precisely as a public reaction to the horrific environmental disaster which occurred in Chernobyl of Ukraine in 1986¹⁷. Green movement offered Ukrainian society a new form of public space to demonstrate, speech and assert. The Green World Association was

¹² I. F. Pankratov and N. A. Syrodov, *Legislation on The Protection and Use of the Animal World* (Legal literature 1983).

¹³ Regulations on the amateur association, hobby club 1986.

¹⁴ Lyudmila Kozlovskaya, *Technology of Social and Cultural Activity: Study Guide* (BGUKI: Ministry of Culture Resp Belarus, Belarus state University of Culture and Arts 2014).

¹⁵ Tetyana Gardashuk, *Conceptual Parameters of Ecology* (Parapan 2005).

¹⁶ Ulrich Beck, 'The Anthropological Shock: Chernobyl And the Contours of the Risk Society' (1987) 32 *Berkeley Journal of Sociology* <<http://www.jstor.org/stable/41035363>> accessed 12 January 2021.

¹⁷ Yuriy Samoylenko, 'About the Ukrainian Ecological Association Green World' (*Zelenysvit.org.ua*) <<http://www.zelenysvit.org.ua/?page=about>> accessed 12 January 2021.

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the first organization having advocated for democratic voices in environmental causes and it used the democratic spaces for mobilizing the citizens¹⁸. That time green movement became a subject for scientists of the western and central European countries that is, Papadakis (2014) explains the evolution of ecology, peace and alternative movements in West Germany and the emergence of a Green Party out of them.¹⁹ During this period (1983) in Germany, elections were held in German Bundestag. As a result, the Green Party managed to get 28 seats in the country's supreme legislative body. This fact is worth mentioning to confirm that it was an adjustment not only in the environment sector, but also in social arena. About one-third of all deputies' seats were occupied by women; and, moreover, most of them were entrusted with the leading positions in the government formation²⁰. That fact emphasizes the importance and crucial moment of the 1980s both in environmental and social contexts.

The third stage (early 1990s). This stage, started with the breakdown of the USSR, can be regarded as the hugely politically charged issue. Environmental movements during the contemporary post-Soviet states are the so-called "red to green"²¹ way for exploring the evolution of environmental movement post-1991 (Oldfield, 2011). Modern researchers are focused on the character of environmental movements and related democratic trends following the fall of socialist regimes in 1989-1990 (see Fagan and Jehlicka, 2003)²². It has taken two decades since the end of the state socialism for the mobilization of environmental movements. Carmin and Fagan (2010) mentioned that the green activism played a critical role in the downfall of Soviet-style communism in Eastern Europe at the end of the 1980s²³. Thus, this stage is characterized by the mass entry of the environmental movements into the political arena; however, at the same time, it can be described by the decline of the real environmentalism, becoming more populist. The driving force behind the decline was the fact that the former Soviet republics were more concerned about their own independence and economic well-being, rather than environmental security. That time recession had swept all the world's green movements. For instance, the Green Party in Germany did not get a single seat in the Bundestag in the last election of the 20th century. As a result, the Greens

¹⁸ A Tsymbalyuk, 'Green Movement in Ukraine. Green Party of Ukraine' (2001) 9 Ukrainian Word.

¹⁹ Elim Papadakis, *The Green Movement in West Germany* (RLE: German Politics, Routledge 2014).

²⁰ S Grigoryan, *The Green Party in Germany* 93 P. (INION AN USSR 1986).

²¹ Jonathan Oldfield, 'Russia's Contemporary Environmental Movement' (2011) 13 International Studies Review.

²² Adam Fagan and Petr Jehlicka, 'Contours of The Czech Environmental Movement: A Comparative Analysis Ofhnuti Duha (Rainbow Movement) Andjihoceske Matky (South Bohemian Mothers)' (2003) 12 Environmental Politics.

²³ JoAnn Carmin and Adam Fagan, 'Environmental Mobilisation and Organisations in Post-Socialist Europe and the Former Soviet Union' (2010) 19 Environmental Politics.

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became less focused on community initiatives and increasingly engaged in lobbying, leading to their separation from the general movement. The environmentalist parties of the 1990s aimed to consolidate their position in the political arena, which became the adverse circumstances for the environmental development. Therefore, in the early 1990s, the formation of political party was a major step forward. For example, in Ukraine, the Green Party was established on September 30, 1990 and it was further registered as a political party on May 24, 1991 with the Ministry of Justice²⁴. Unfortunately, by far the majority of “green” parties of that period declined from environmental slogans, whereas many politicians, making a career, turned away from the green while splitting the “green” parties. These insights of the third stage indicate it as a period of deep crisis for the environmental movement in the post-Soviet states²⁵. Regarding the legal initiatives encompassing international cooperation in the field of environmental protection during latter half of the 20th century, there were very few international environmental initiatives in the USSR at that time. Clearly, totalitarian system was an unfavorable ground for any international environmental activity. For example, environmental organization “Greenpeace” made several attempts to open the national branch in the USSR when it implemented the project²⁶ Children of Chernobyl 1990 in Ukraine.

4. CONCLUSION

In light of the foregoing discussion, the pertinent question would be who influenced the government decisions in the State where public participation was forbidden? The answer was searched by tracing the idea of the public participation and its trajectory as a constituent part of the history of the “green movement” in the USSR. Predicated on various sources, the evolution of the “green movement” in the USSR was divided into three stages, each of which outlined the specific level of participation, legislative recognition, and even a subjective perception of stakeholders. The Soviet Union was created in 1922, but only by the end of 1980s it raised a capacity of the public participation – namely, the ability to create associations, clubs, parties and official groups different from the Communist Party. That became the hallmark of the Gorbachev’s era of glasnost and perestroika, but unfortunately, it was executed for only 5 years ahead of the Soviet Union collapsed. Undeniably, that half of the decade was not adequate to cause a

²⁴ Iryna Kovalenko, 'History of The Development of the "Green Movement" in the USSR and its Influence on the Formation of the Green Party of Ukraine' (2008) 3 Scientific notes of Ternopil National Pedagogical University named after Volodymyr Hnatyuk. Series: History.

²⁵ Volodymyr Lytvyn, 'Green World Association and The Green Party of Ukraine' (1991) 9 Politics and Time.

²⁶ 'Greenpeace- Ukraine: Let Our Common House Be Clean' (*Зеркало недели | Дзеркало тижня | Mirror Weekly*, 1995) <https://zn.ua/ECOLOGY/grinpis-ukraina_da_budet_chistym_nash_obschiy_dom.html> accessed 21 February 2021.

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significant effect on the environmental policy of the USSR. However, on the other hand, this movement caused a fairly strong influence on the subsequent creation of “green” political parties of the independent republics of the former Soviet Union. Currently, after a long absence of international activities in the former USSR, Ukraine has focused on the international cooperation and the adaptation to the EU legislation and best practices.

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